

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MONSANTO COMPANY and )  
MONSANTO TECHNOLOGY LLC, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
E.I. DUPONT DE NEMOURS AND ) Case No. 4:09-cv-00686-ERW  
COMPANY and )  
PIONEER HI-BRED INTERNATIONAL, )  
INC., )  
 )  
Defendants. )

## **CONSENT MOTION FOR EXTENSION OF TIME**

Plaintiffs, Monsanto Company and Monsanto Technology LLC (collectively “Monsanto”), respectfully move for a one-week extension of time, to and including Friday March 4, 2011, within which Monsanto shall file and serve Monsanto’s Memorandum in Opposition to DuPont’s Motion to Compel a Finding of Waiver Related to the Filing of U.S. Patent No. RE39,247 (Dkt. # 613).

In support of this motion, Monsanto states that the requested extension is not being advanced for purposes of unnecessary delay, that the requested extension will not impact on the scheduling of this matter. Counsel for Monsanto has conferred with counsel for Defendants, who have consented to the requested extension. Counsel for Monsanto agree to a similar extension for Defendants' reply if needed.

Dated: February 24, 2011

Respectfully submitted,

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By: /s/ Joseph P. Conran.

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*Attorneys for Plaintiff Monsanto Company and  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 24th day of February, 2011 the foregoing was filed electronically with the Clerk of the Court for the United States District Court Eastern District of Missouri, Eastern Division, and served by operation of that Court's electronic filing system upon the following counsel of record:

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